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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/086,196	03/01/2002	Takashi Koyama	P 290732/US-P1565	8490
909	7590	12/16/2005	EXAMINER	
PILLSBURY WINTHROP SHAW PITTMAN, LLP			NGUYEN, LUONG TRUNG	
P.O. BOX 10500			ART UNIT	
MCLEAN, VA 22102			PAPER NUMBER	

2612

DATE MAILED: 12/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/086,196	<b>Applicant(s)</b> KOYAMA ET AL.	
	<b>Examiner</b> LUONG T. NGUYEN	<b>Art Unit</b> 2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 14 November 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) 1-6 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 7-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>03/01/02</u> . | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. Applicant's election without traverse of Species I, Figures 1-7 read on claims 1-9 in the reply filed on 9/23/2005 is acknowledged.

2. Applicant's election without traverse of Group II, claims 7-9 in the reply filed on 11/14/2005 is acknowledged.

3. Claims 1-6 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim.

Election was made **without** traverse in the reply filed on 11/14/2005.

### *Priority*

4. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### *Specification*

5. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

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The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

6. The abstract of the disclosure is objected to because the abstract should be a single paragraph on a separate sheet within the range of 50 to 150 words. Correction is required. See MPEP § 608.01(b).

7. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

#### ***Claim Objections***

8. Claims 7-9 are objected to because of the following informalities:

Claim 7 (line 8), "the subject image" should be changed to --a subject image--.

Claim 7 (line 11), "the distance" should be changed to --a distance--.

Claim 7 (line 15), "the long edge" should be changed to --a long edge--.

Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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9. Claims 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Higuchi et al. (US 6,829,011) in view of Ikari et al. (US 5,933,186).

Regarding claim 7, Higuchi et al. discloses a camera comprising:

a first lens unit (first group lens 19, figures 4A-4B, column 10, lines 40-65), formed of a plurality of lenses, on which a light beam is incident from a subject,

a reflection member (reflection mirror 20, figures 4A-4B, column 10, lines 40-65) for reflecting a light beam, which has come from the subject and has been transmitted through the first lens unit, in a direction substantially perpendicular to the optical axis of the first lens unit,

a subject image capturing device (imaging element 27, figures 4A-4B, column 11, lines 60-67) arranged at a location where the light beam reflected from the reflective member forms the subject image, and mounted integrally with a frame member,

a subject light beam incident window (aperture 2, figure 2, column 8, lines 18-30), formed in a housing member, and having an opening dimension that permits the light beam from the subject incident on the first lens unit to be transmitted therethrough, wherein the window has the long edge thereof to permit the light incident on the first beam lens unit to be transmitted therethrough regardless of when the distance between the reflective member and the subject image capturing device, which is varied in response to the focus adjustment operation, is set to be shortest or when the distance between the reflective member and the subject image capturing device is set to be longest.

Higuchi et al. fails to specifically disclose a focus adjusting mechanism which performs a focus adjustment operation for the subject image by varying the distance between the reflective member and the subject image capturing device. However, Ikari et al. teaches a film image input

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comprises a control circuit 20, which performs a focus adjustment operation of focus lens 42 for the subject image due to the varying distance between mirror 24 and CCD 38 (figure 1, column 8, line 8 – column 9, line 53). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Higuchi et al. by the teaching of Ikari et al. in order to provide a system which provides a large freedom of design and can be reduced in both size and cost (column 2, lines 28-30).

Regarding claim 8, Higuchi et al. discloses the subject light beam incident window has an opening dimension in a direction substantially perpendicular to the direction of the movement of the first lens unit in the focus adjustment operation thereof being substantially equal to the diameter of the incident light beam from the subject (figures 1-2).

Regarding claim 9, Higuchi et al. discloses the subject light beam incident window has an elongated shape having a long edge thereof in a direction aligned with the direction of movement of the first lens unit in the focus adjustment operation thereof (figures 1-2).

### ***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ohyoshi (US 6,008,845) discloses compact electronic digital still camera equipped with converter lens.

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Honda et al. (US 6,041,195) discloses camera capable of video and film shooting optical viewfinder.

Nagata et al. (US 2002/0067426) discloses electronic camera having a photoelectric sensor device.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to LUONG T. NGUYEN whose telephone number is (571) 272-7315. The examiner can normally be reached on 7:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, NGOCYEN VU can be reached on (571) 272-7320. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LN  
12/11/05



**LUONG T. NGUYEN**  
**PATENT EXAMINER**